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| 09/322,177 | 05/28/1999 | HIROHIKO ITOH | 35.G1549-CI | 7620 |

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| EXAMINER |
|---|
| TRAN, DOUGLAS Q |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2624 | 18 |

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/322,177 | ITOH, HIROHIKO | |
| | Examiner | Art Unit | |
| | Douglas Q. Tran | 2624 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 July 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *16-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 16, 19-20, 23, 26-27, 30 and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikenoue et al. (US Patent No. 5,671,277).

As to claim 16, Ikenoue discloses an image processing apparatus comprising:

a printer (i.e., output unit 6 in fig. 13) that prints an image on a recording sheet (i.e., hard copy) based on image data (col. 1, lines 27-29);

a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) that receives a detachable storage medium (i.e., a floppy disk 104 in fig. 1), the detachable storage medium having stored therein image data and sheet processing information (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet processing information such as a position designation data, character codes and figure codes "in fig. 22"); and

a controller (i.e., a main controller 7 in fig. 13) that controls said printer so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image

data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. col. 14, lines 27-29 and col. 6, lines 31-32: the main controller 7 controls the printer "the output unit 6" for printing the image data from the floppy disk).

As to claim 19, Ikenoue discloses every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information is stored in the detachable storage medium by an apparatus other than the image processing apparatus (the image data, which is print data stored in the floppy disk for printing at the printer, is not from the printer).

As to claim 20, Ikenoue teaches every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information indicating a number of copies of the image to be made (col. 15, lines 48).

As to claim 23, Ikenoue discloses a method for processing an image comprising the steps of:

loading a detachable storage medium (i.e., a floppy disk 104 in fig. 1) into a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) of an image processing apparatus, the detachable storage medium having stored therein image data and sheet processing information for processing a recording sheet (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet processing information such as a position designation data, character codes and figure codes "in fig. 22")

prints (i.e., output unit 6 in fig. 13) an image on a recording sheet (i.e., hard copy) based on image data stored in the detachable storage medium loaded in the loading unit (col. 14, lines 27-29); and

controlling (i.e., from a main controller 7 in fig. 13) the printing so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. Col. 14, lines 27-29: the main controller 7 controls the printer "the output unit 6" for printing the image data from floppy disk).

As to claim 26, Ikenoue discloses every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information is stored in the detachable storage medium by an apparatus other than the image processing apparatus (the image data, which is print data stored in the floppy disk for printing at the printer, is not from the printer).

As to claim 27, Ikenoue teaches every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information indicating a number of copies of the image to be made (col. 15, lines 48).

As to claim 30, Ikenoue discloses a recording media having recorded therein code for executing the steps of:

reading image data and sheet processing information from a detachable storage medium (i.e., a floppy disk 104 in fig. 1) into a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) of an image processing apparatus (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet

processing information such as a position designation data, character codes and figure codes "in fig. 22")

prints (i.e., output unit 6 in fig. 13) an image on a recording sheet (i.e., hard copy) based on image data stored in the detachable storage medium loaded in the loading unit (col. 14, lines 27-29); and

controlling (i.e., from a main controller 7 in fig. 13) the printing so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. Col. 14, lines 27-29: the main controller 7 controls the printer "the output unit 6" for printing the image data from floppy disk).

As to claim 33, Ikenoue discloses every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information is stored in the detachable storage medium by an apparatus other than the image processing apparatus (the image data, which is print data stored in the floppy disk for printing at the printer, is not from the printer).

As to claim 34, Ikenoue teaches every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information indicating a number of copies of the image to be made (col. 15, lines 48).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 17-18, 21, 24-25, 28, 31-32, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikenoue as applied in claims 16, 23 and 30 above and in combination with Douglas et al. (US Patent No. 5,281,998).

As to claims 17-18 and 21, disclose every feature discussed in claim 16.

However, Ikenoue does not teach the format control data (i.e., the sheet processing information) indicating whether sorting, stapling, single or double sided information to the image data.

Douglas teaches the job resource from a disk (28 or a tape 30 in fig. 2, col. 3, lines 19-24) including the job format having duplex or simplex information (59 in fig. 3A, col. 3, lines 43-53). Since the sorting and stapling data are the same format control data, the sorting and stapling data would be included in the job resource.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the format control data of Ikenoue for including either the double or single sided data as taught by Douglas. The suggestion for modifying the printing system of Ikenoue can be reasoned by one of ordinary skill in the art as set forth above by Douglas because the modified printing system of Ikenoue would increase the functionality of the format control data of the print data from the floppy disk to include the optional control data such as double, single

sided, sorting or stapling control data. The resultant format control data would allow the controller of a printer could perform the printing job processing directly without looking the optional control data from other source.

As to claims 24-25, 28, and 31-32, 35, the combination of Ikenoue and Douglas teaches the method and the program for performing the functions of the apparatus claims 17-18 and 21 above.

5. Claims 22, 29 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Ikenoue and Douglas et al. (US Patent No. 5,281,998).

As to claim 22, Ikenoue discloses an image processing apparatus comprising:

a printer (i.e., output unit 6 in fig. 13) that prints an image on a recording sheet (i.e., hard copy) based on image data (col. 1, lines 27-29);

a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) that receives a detachable storage medium (i.e., a floppy disk 104 in fig. 1), the detachable storage medium having stored therein image data and sheet processing information (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet processing information such as a position designation data, character codes and figure codes "in fig. 22"); and

a controller (i.e., a main controller 7 in fig. 13) that controls said printer so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image

data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. col. 14, lines 27-29: the main controller 7 controls the printer "the output unit 6" for printing the image data from the floppy disk).

Although Ikenoue does not teach format control data (col. 12, lines 44-45) including the setting of double-sided or single-sided printing of the image. Such above limitations, which are well know in the prior art, are the settings which are prepared and generated from the host computer and these setting functions are performed in the conventional printer when the printer receives the instructions from the host side either via directly connection network or via indirectly by the floppy disk. Such limitations would have been obvious in the printing system of Ikenoue. Since Ikenoue teaches the format control data such as format data or a print position data is received, then internal edition conditions are changed according to the data, Ikenoue can include more optional control information to the image data such as the double or single sided for control the printer.

Douglas teaches the job resource from a disk (28 or a tape 30 in fig. 2, col. 3, lines 19-24) including the job format having duplex or simplex information (59 in fig. 3A, col. 3, lines 43-53).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the format control data of Ikenoue for including either the double or single sided data as taught by Douglas. The suggestion for modifying the printing system of Ikenoue can be reasoned by one of ordinary skill in the art as set forth above by Douglas because the modified printing system of Ikenoue would increase the functionality of the format control

data of the print data from the floppy disk to include the optional control data such as double or single sided control data. The resultant format control data would allow the controller of a printer could perform the printing job processing directly without looking the optional control data from other source.

As to claims 29 and 36, the combination of Ikenoue and Douglas teaches the method and the program for performing the functions of the apparatus claim 22 above.

***Response to Arguments and Amendment***

Applicant's arguments filed 7/28/03 have been fully considered but they are not persuasive.

Applicant asserted in page 11 that "Nowhere is the Ikenoue patent understood to disclose or suggest the feature of a detachable storage medium having stored therein image data and multiple sheet processing information, such as sorting information, stapling information, and single/duplex printing information, as disclosed and claimed in the present information'. In reply, the above underlined limitations are not found in the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant asserted in page 11 that "Applicants submit that the stored "format" and "position" information disclosed in Ikenoue, is patentably distinct from the sheet processing information disclosed and claimed in the present application." In reply, Ikenoue clearly teaches the detachable storage medium such as the floppy disk (104 in fig. 1) stores a plurality of files (col. 12, lines 17-19). Since the image data from each file in the printing format stored in the floppy disk for printing, the printing format with the additional data (col. 6, lines 31-33) for

controlling the printer to print the image data onto the recording sheet. Furthermore, Ikenoue teaches the additional data includes a file name and a page number and the image data includes the position designation code. Since the image data from print data on the floppy disk would be processed onto the recording sheet, the print data from floppy disk would include the sheet processing information.

Applicant asserted in page 12 that " However, nowhere is the Douglas '998 patent understood to disclose or suggest the feature of a detachable recording media including image data and sheet processing information, as disclosed and claimed in the present application. Nor is the Douglas '998 patent understood to add anything to the Ikenoue '277 patent that would make obvious the claimed invention".

Douglas teaches the attributes information attached with image data such as parameters including a particular sheet or sheets are to be in a simplex or duplex mode. Therefore, the attributes information, which would be well known in the art, to control the printer for performing the printing process with the image data. Since the print data from the floppy disk in Ikenoue to tell the printer how to perform the hard copy. The attribute data would include a simplex or duplex mode to the image data from Ikenoue.

The limitations of " Format control data includes the setting of double-sided or single-sided printing of the image". Such above limitations, which are well know in the prior art, are the settings which are prepared and generated from the host computer and these setting functions are performed in the conventional printer when the printer receives the instructions from the host side either via directly connection network or via indirectly by the floppy disk. Such limitations

would have been obvious in the printing system of Ikenoue. Since Ikenoue teaches the format control data such as format data or a print position data is received, then internal edition conditions are changed according to the data, Ikenoue can include more optional control information to the image data such as the double or single sided for control the printer. Furthermore, Douglas teaches the job resource from a disk (28 or a tape 30 in fig. 2, col. 3, lines 19-24) including the job format having duplex or simplex information (59 in fig. 3A, col. 3, lines 43-53).

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

***Conclusion***

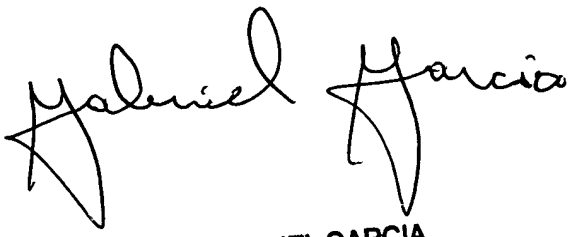
**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Sep. 23, 2003



GABRIEL GARCIA
PRIMARY EXAMINER